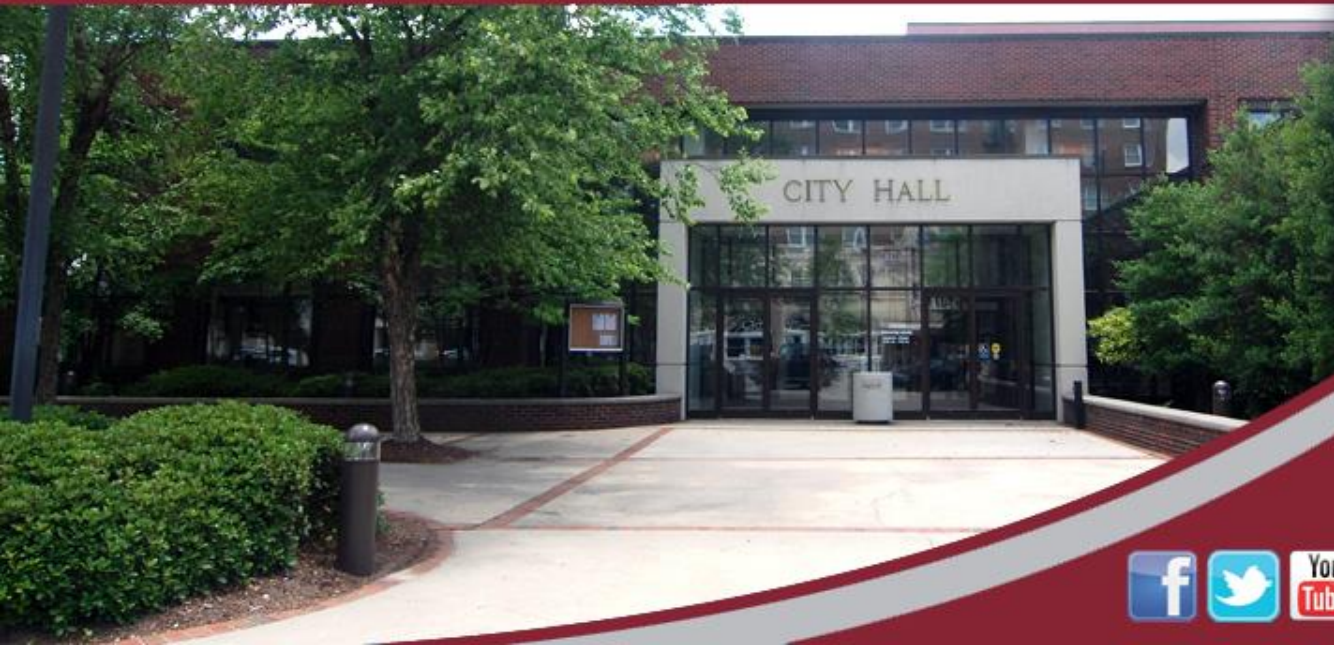


Chapter 24-Article II Amendment Excavations in the R/W

Giselle Rodriguez, PE
City Engineer
Jeffrey Riddle, PLS
Construction Manager



City of
Fayetteville
North Carolina

Our Streets

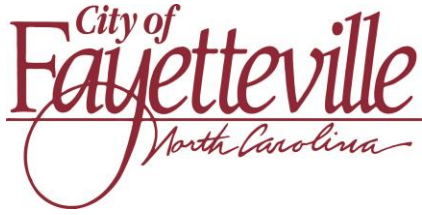


- ✓ Streets – largest asset
 - 735 miles
- ✓ Touches every citizen, employee, emergency service personnel, commuter, visitors
- ✓ Its condition affects our quality of life, efficiency, timely response, national ranking, benchmarks



- ✓ A primary cause for the early and excessive deterioration of the right-of-way is the frequent excavations for utilities (installation/maintenance).
- ✓ The city desires to:
 - Minimize and anticipate the number of excavations taking place
 - To regulate the placement of facilities within the rights-of-way to ensure that they remain available for public services.





Our Ordinance



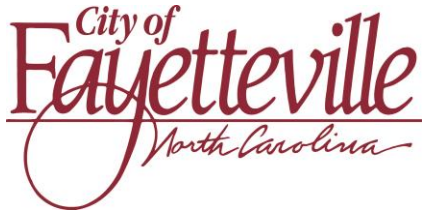
- ✓ Chapter 24 – Article II
 - Adopted in 1999
 - Provides a legal framework to regulate and manage the public rights-of-way
 - Provide for the health, safety and welfare of the residents as they use the rights-of-way
 - Ensure the structural integrity of the public rights-of-way

Then why?



- ✓ Improve overall condition of our largest asset
 - Our roads degrade at an unsustainable rate
 - 985 excavation permits issued in 2013 (1 permit per block – multiple cuts)
 - 720 excavation permits issued so far in 2014
- ✓ Improve communication between utilities and City
- ✓ Improve notification to City
- ✓ Improve aesthetics
- ✓ Encourage good planning
- ✓ Reduce degradation to our streets
- ✓ Citizen satisfaction – provide high quality streets is our goal





Ordinance Amendment



- ✓ Allows the City to require proper restoration of excavated areas
- ✓ Our streets provide a benefit to utility owners by allowing the use of a public property for the installation of their facilities. Thus eliminating the need to acquire/dedicate land.

A layer of protection that will secure and preserve our streets by improving the quality of the utility repairs.

Effective date

✓ **July 1, 2015**



Upcoming changes



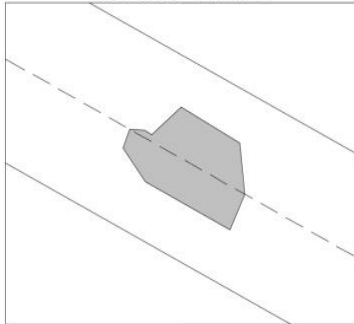
- ✓ Groundcover properly established no later than 7 days
 - Currently: Not addressed
- ✓ Repairs requested by City must be completed in 30 days
 - Currently: 10 days
- ✓ Re-inspection fees apply
 - Currently: Not addressed
- ✓ Proper compaction or flowable fill
 - Currently: Not addressed
- ✓ All work performed with appropriate traffic control
 - Currently: Not addressed
- ✓ Eliminate bond requirement
 - Currently: Bond is required

Upcoming changes

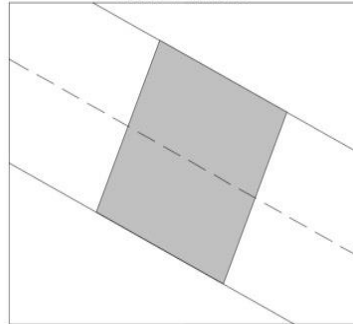


- ✓ Excavation shall be restored as determined by City
 - Currently: Optional

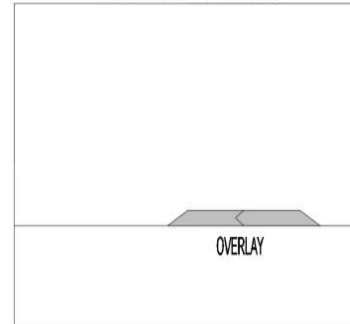
NOT ACCEPTABLE



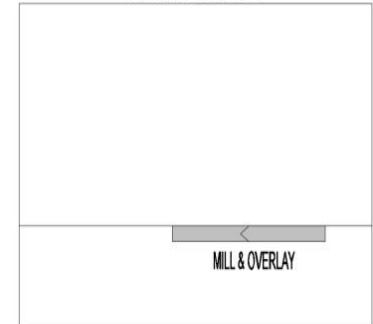
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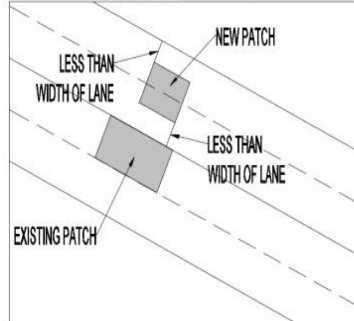
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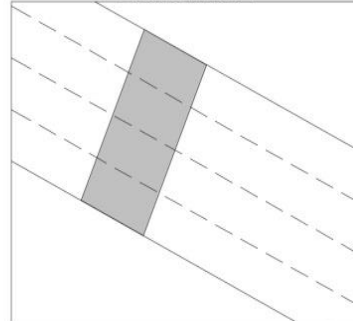
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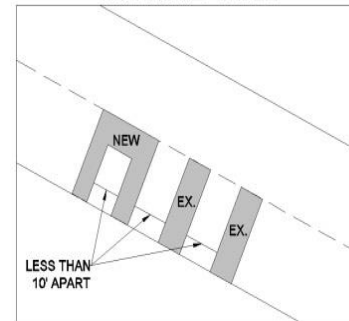
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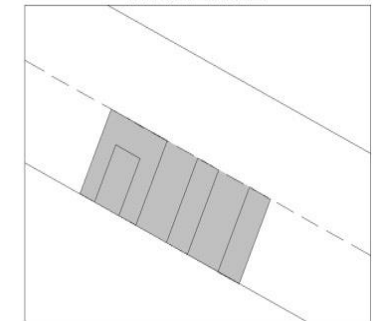
ACCEPTABLE



NOT ACCEPTABLE



ACCEPTABLE



Upcoming changes



- ✓ Backfill / Warranty:
 - 3 options
 - **Option #1**: Backfill w/o compaction testing
 - *Warranty until resurfaced*
 - **Option #2**: Backfill w/ compaction testing
 - *Warranty for 3 years*
 - **Option #3**: Exc. Flowable Fill
 - *Warranty for 1 year*
- ✓ Any pipe abandoned inside the R/W shall be properly removed. Plug and grout filling may be allowed if removal not feasible.
 - Currently: Not addressed

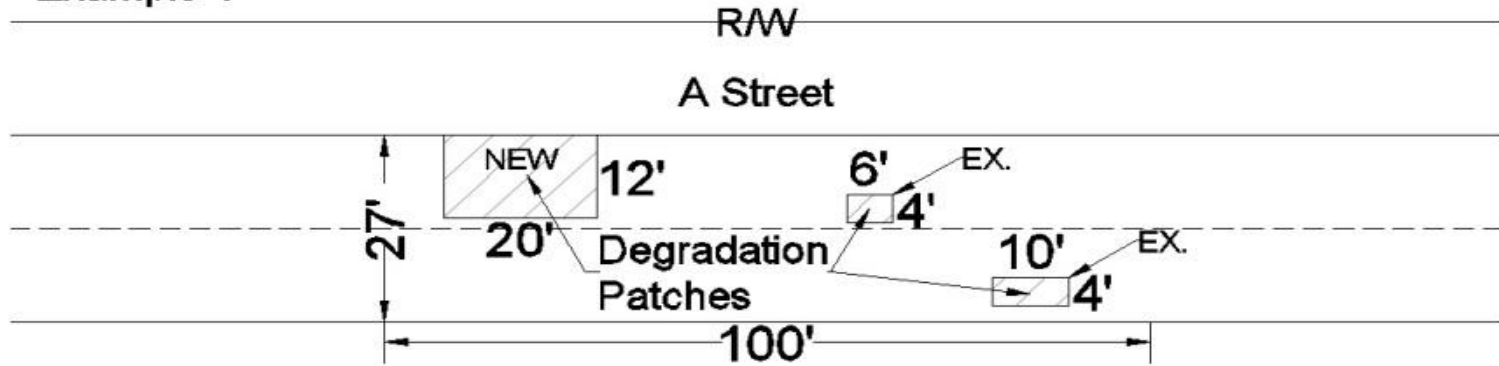
Upcoming changes



- ✓ Any street that is degraded 25% or greater between intersections shall be overlaid with a minimum of 1 ½ inch of asphalt for the entire length between the intersecting streets. Temporary patch for one (1) year to allow settlement prior to final asphalt layer. Warranty required for 1 year. No utility will be exempt. Payment-in-lieu-of overlay is an option.

Currently: Not addressed

Example 1



F Street

RAW

$$\begin{aligned} \text{Patch area} &= (12 \times 20) + (6 \times 4) + (10 \times 4) \\ &= 304 \text{ sf} \end{aligned}$$

$$\text{Road} = 100 \times 27 = 2,700 \text{ sf}$$

$$\begin{aligned} \text{Degraded area} &= (304 \text{ sf} / 2,700 \text{ sf}) \times 100\% \\ &= 11\% < 25\% \end{aligned}$$

Therefore no overlay is required.

G Street

N.T.S.

<p style="text-align: center;">F Street</p>	<p style="text-align: center;">R/W</p> <p>Patch area = $100 \times 10 = 1,000$ sf Road = $100 \times 27 = 2,700$ sf Degraded area = $(1,000 \text{ sf} / 2,700 \text{ sf}) \times 100\%$ $= 37\% > 25\%$ Therefore $1\frac{1}{2}"$ overlay is required.</p>	<p style="text-align: center;">G Street</p>	<p style="text-align: center;">N.T.S</p>

Upcoming changes



- ✓ Steel plating could be considered during periods of no work activity upon approval of the City Engineer.
 - Currently: Not addressed
- ✓ No permits if street has been constructed or resurfaced in less than 3 years. Exceptions could be allowed for emergency work with acceptable justification. If an exception is granted the degradation cost will be 5 times the standard fee.
 - Currently: Not addressed
- ✓ Compaction test required for any utility installation on new roads or existing roads scheduled for resurfacing within 12 months. Exacavatable flowable fill is an option.
 - Currently: Not addressed.

Upcoming changes



- ✓ No additional permits will be issued for any utility until it is in compliance with the provisions of this article.
- ✓ A permit per cut. No more permit per block.



- ✓ Who will be responsible for the compaction testing?
- ✓ What is excavatable flowable fill (EFF)?
- ✓ What are the benefits to use EFF?
- ✓ Is EFF readily available?
- ✓ Is the degradation fee based on the size of the cut or the size of the restoration?





City of
Fayetteville
North Carolina

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